

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MARYLAND**

MICHAEL PACK : :

Plaintiff : :

v. : Civil Action No. RDB-11-1576

MTA OFFICER ANJANETTE JONES, et al. : :

Defendants : :

MEMORANDUM OPINION

Michael Pack complains that in 2003, he was unlawfully arrested by Officer Anjanette Jones and requests damages of \$50 million. Pack is a frequent self-represented litigant who has filed numerous cases in this court concerning the same or similar allegations. These prior cases were determined to lack merit or dismissed outright.¹

This court has cautioned Pack that if he continues to file vexatious and duplicative complaints, his pleadings would be reviewed and returned to him without docketing, *see Pack v. MTA Officer Anjanette Jones*, Civil Action No. ELH-11-837 (D. Md) and *Pack v. Baltimore City Police Department*, Civil Action No. WDQ-09-1484 (D. Md), because the Court has the “responsibility to prevent single litigants from unnecessarily encroaching on the judicial machinery needed by others.” *See Procup v. Strickland*, 792 F.2d 1069, 1073 (11th Cir. 1986)

¹ See e.g. *Pack v. MTA Officer Anjanette Jones*, WMN-11-cv-1462 (D. Md.); *Pack v. Officer Anjanette Jones*, ELH-11-837 (D. Md); *Pack v. Officer Anjanette Jones*, RDB-11-657 (D. Md); *Pack v. Officer Anjanette Jones, et al.*, WDQ-11-325; *Pack v. MTA Officer Anjanette Jones*, L-11-18 (D. Md); *Pack v MTA Officer Anjanette Jones*, WMN-11-522 (D. Md); *Pack v. Public Safety & Correctional Services Department, et al.*, Civil Action No. CCB-09-2911 (D. Md.); *Pack v. O'Malley*, Civil Action No. WDQ-09-2912 (D. Md); *Pack v. State of Maryland*, Civil Action No. L-09-2400; *Pack v. Baltimore City Police Department*, WDQ-09-2223 (D. Md); *Pack v. State of Maryland*, RDB-09-1018 (D. Md.), *Pack v. Baltimore City Police*, AMD-09-518 (D. Md.), *Pack v. Weidefield*, JFM-09-208 (D. Md.); *Pack v. Maryland Transit Administration*, AMD-08-3097 (D. Md); *Pack v. Commissioner Frederick Bealefield*, CCB-08-2625 (D. Md); and *Pack v. Commissioner Frederick Bealefield*, WMN-08-3067 (D. Md.).

(*en banc*). Pack, nonetheless, persists in filing frivolous lawsuits and abusing the judicial process.

Accordingly, this Court intends exercise its authority under the All Writs Act, 28 U.S.C. § 1651 to limit Pack's continuing vexatious and repetitive filings. *See e.g. Cromer v. Kraft Foods N. Am., Inc.*, 390 F.3d 812, 817 (4th Cir. 2004).

In determining whether a pre-filing injunction is substantively warranted, this court must weigh all the relevant circumstances, including 1) the party's history of litigation, in particular whether he has filed vexatious, harassing, or duplicative lawsuits; 2) whether the party had a good faith basis for pursuing the litigation, or simply intended to harass; 3) the extent of the burden on the courts and other parties resulting from the party's filings; and 4) the adequacy of alternative sanctions.

Id. at 818.

This Court is mindful that these restrictions must be narrowly drawn to fit the specific circumstances. *Id.* at 817–18. A pre-filing injunction is a remedy that must be applied sparingly, and access to the court should not be limited absent exigent circumstances. *Id.* To this end, papers submitted by Pack which are determined to contain repetitive claims regarding MTA Officer Anjanette Jones' issuance of a citation in 2003, Pack's citations from Baltimore City Police in 2008 concerning his public urination or failure pay a public transportation fare, or the alleged detention of another individual by the name of Michael Lawrence Poole by Baltimore City Police, will be returned to Pack without docketing or further review.

Before issuing a pre-filing injunction, a court must give the individual to be enjoined notice and an opportunity to be heard. *Id.* at 819. This Order shall serve as a final notice of the Court's intention to impose a pre-filing injunction. Pack may file a show cause response within fourteen days why he should not be enjoined from filing any further lawsuits concerning the

events described herein. If Pack does not file a timely response, the Court will issue the appropriate pre-filing injunction. A separate Order consistent with this Memorandum Opinion follows.

June 20, 2011

Date

R.D. Bennett

RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE